

1 BOIES, SCHILLER & FLEXNER LLP  
2 RICHARD J. POCKER (NV Bar No. 3568)  
3 300 South Fourth Street, Suite 800  
4 Las Vegas, NV 89101  
5 Telephone: (702) 382-7300  
6 Facsimile: (702) 382-2755  
7 rpocker@bsfllp.com

8 BOIES, SCHILLER & FLEXNER LLP  
9 WILLIAM ISAACSON (*pro hac vice*)  
10 KAREN DUNN (*pro hac vice*)  
11 5301 Wisconsin Ave, NW  
12 Washington, DC 20015  
13 Telephone: (202) 237-2727  
14 Facsimile: (202) 237-6131  
15 wisaacson@bsfllp.com  
16 kdunn@bsfllp.com

17 BOIES, SCHILLER & FLEXNER LLP  
18 STEVEN C. HOLTZMAN (*pro hac vice*)  
19 KIERAN P. RINGGENBERG (*pro hac vice*)  
20 1999 Harrison Street, Suite 900  
21 Oakland, CA 94612  
22 Telephone: (510) 874-1000  
23 Facsimile: (510) 874-1460  
24 sholtzman@bsfllp.com  
25 kringgenberg@bsfllp.com

26  
27 Attorneys for Plaintiffs  
28 Oracle USA, Inc., Oracle America, Inc., and  
Oracle International Corp.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

29 ORACLE USA, INC., a Colorado corporation;  
30 ORACLE AMERICA, INC., a Delaware  
31 corporation; and ORACLE INTERNATIONAL  
32 CORPORATION, a California corporation,

33 Plaintiffs,

34 v.

35 RIMINI STREET, INC., a Nevada corporation;  
36 AND SETH RAVIN, an individual,

37 Defendants.

38 MORGAN, LEWIS & BOCKIUS LLP  
39 THOMAS S. HIXSON (*pro hac vice*)  
40 KRISTEN A. PALUMBO (*pro hac vice*)  
41 One Market, Spear Street Tower  
42 San Francisco, CA 94105  
43 Telephone: 415.442.1000  
44 Facsimile: 415.442.1001  
45 thomas.hixson@morganlewis.com  
46 kristen.palumbo@morganlewis.com

47 DORIAN DALEY (*pro hac vice*)  
48 DEBORAH K. MILLER (*pro hac vice*)  
49 JAMES C. MAROULIS (*pro hac vice*)  
50 ORACLE CORPORATION  
51 500 Oracle Parkway, M/S 5op7  
52 Redwood City, CA 94070  
53 Telephone: 650.506.4846  
54 Facsimile: 650.506.7114  
55 dorian.daley@oracle.com  
56 deborah.miller@oracle.com  
57 jim.maroulis@oracle.com

58 Case No. 2:10-cv-0106-LRH-PAL

59 **DECLARATION OF THOMAS  
60 HIXSON IN SUPPORT OF  
61 ORACLE'S MOTION TO EXCLUDE  
62 UNTIMELY EXPERT OPINIONS OF  
63 SCOTT D. HAMPTON**

1 I, Thomas Hixson, declare as follows:

2 1. I am a member of the State Bar of California, and a partner at Morgan, Lewis &  
3 Bockius LLP, counsel of record for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and  
4 Oracle International Corporation (collectively, "Oracle" or "Plaintiffs") in this action. I have  
5 personal knowledge of the matters stated herein and could and would testify competently about  
6 them if called upon to do so.

7 2. Attached as **Exhibit A** are true and correct copies of relevant excerpts of the  
8 Expert Report of Elizabeth A. Dean, served on January 17, 2012.

9 3. Attached as **Exhibit B** are true and correct copies of relevant excerpts of the  
10 Expert Report of Scott D. Hampton, served on March 30, 2012.

11 4. Attached as **Exhibit C** is a true and correct copy of the Supplemental Expert  
12 Report of Elizabeth A. Dean, served on July 30, 2015. The report has been redacted to remove  
13 Highly Confidential Rimini Street information that is not relevant to the accompanying motion.

14 5. Attached as **Exhibit D** is a true and correct copy the Rebuttal/Supplemental  
15 Expert Report of Scott D. Hampton and Schedules M1.SU, M2.SU, M3.1SU, M3.2SU and  
16 M3.3SU to that report, served on September 2, 2015.

17 6. Attached as **Exhibit E** are true and correct copies of relevant excerpts of trial  
18 testimony in this action.

19 7. On November 23, 2011, Oracle produced renewal rate data to Rimini Street in  
20 this action. The data was bates stamped ORCLRS1327689.

21

22 I declare under penalty of perjury that the foregoing is true and correct, and that I executed this  
23 Declaration on September 27, 2015 in Las Vegas, Nevada.

24

25 \_\_\_\_\_ /s/ Thomas Hixson \_\_\_\_\_

26 Thomas Hixson

27

28